

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 9, 2023**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, February 9, 2023 at Austin City Hall, 301 W. 2nd Street, Austin, TX and via videoconference.

PROCLAMATIONS

Distinguished Service Award – Lucia Athens – To be presented by City Manager Spencer Cronk and to be accepted by Lucia Athens, Chief Sustainability Officer of the City of Austin

Proclamation – Austin Energy Regional Science Festival Day – To be presented by Council Member Leslie Pool and to be accepted by Ingrid Weigand of the Austin Science Education Foundation

Proclamation – Teen Dating Violence Awareness Month – To be presented by Council Member Alison Alter and to be accepted by SAFE Austin

Distinguished Service Award – Detective David Fugitt – To be presented by Council Member Mackenzie Kelly and to be accepted by David Fugitt of the Austin Police Department

Proclamation – Nagavalli Day – To be presented by Council Member Mackenzie Kelly and to be accepted by Nagavalli Medicharla, Austin Music Commission member

Mayor Pro Tem Ellis called the Council Meeting to order at 10:07 a.m. Mayor Watson appeared virtually via videoconference.

PUBLIC COMMUNICATION: GENERAL

Anil Singh - CoA's Supported Affordable Housing – **Present.**

Manuel Jimenez - Proposed City of Austin Veteran/Military Affair Office. – **Present.**

Ethan Smith - a song for a new council – **Present.**

Ruth Moonesinghe - How do we change the culture of shooting to death of innocent people by Austin Police in light of the loss of my son Rajan. – **Present.**

Pat Valls-Trelles - animal issues – **Present.**

Emanuel Limuel - Introduction and Invitation – **Present.**

Sandra Muller - welcome new council members – **Present.**

Angela B Garza - Natives versus New Comer Elected Officials who come with agendas that eliminate our natives of Austin. Please stop the Level Up and Political Division Games. – **Present.**

KYRA MATOS - Parque Zaragoza – **Present.**

George Economos - Pedestrian safety and transit corridor for Riverside Drive from Congress to 35 – **Present.**

CONSENT AGENDA

1. Approve the minutes of the Austin City Council budget adoption of August 17, 2022, regular meeting of December 1, 2022, work session of January 24, 2023, and regular meeting of January 26, 2023.

The motion to approve the minutes of the Austin City Council budget adoption of August 17, 2022, regular meeting of December 1, 2022, work session of January 24, 2023, and regular meeting of January 26, 2023 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

2. Approve an ordinance amending the Fiscal Year 2022-23 Economic Development Department Operating Budget Special Revenue Second Street Tax Increment Financing Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$110,345 for streetscape maintenance. District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.

Ordinance No. 20230209-002 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

3. Approve an ordinance amending the Fiscal Year 2022-2023 Economic Development Department Operating Budget Special Revenue Cultural Arts Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$2,654,892 for creative arts purposes. Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.

Ordinance No. 20230209-003 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

4. Approve an ordinance amending the Fiscal Year 2022-2023 Economic Development Department Operating Budget Special Revenue Live Music Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$525,000 for creative arts purposes. Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.
Ordinance No. 20230209-004 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.
5. Approve an ordinance amending the Fiscal Year 2022-2023 Economic Development Department Operating Budget Special Revenue Historic Preservation Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$2,120,446 for historic restoration and preservation purposes. Related to Item #6 Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.
Ordinance No. 20230209-005 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.
6. Approve a resolution authorizing the City Manager to award, negotiate, and execute Historic Preservation Fund grant agreements and allocations for Fiscal Year 2022-2023 in an amount not to exceed \$20,771,677 for historic preservation and restoration projects. Related to Item #5. District(s) Affected: District 1, District 3, District 8, District 9, District 10. Strategic Outcome(s): Culture and Lifelong Learning.
Resolution No. 20230209-006 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.
7. Approve an ordinance authorizing negotiation and execution of a license agreement with Acadian Ambulance Service, Inc. for a limited term and waiving City Code Chapter 14-11 (Use of Right of Way) and Section 10-2-60 of Chapter 10-2 (Medical Transfer Services) for Acadian Ambulance Service, Inc. to allow time to negotiate and execute the agreement; and declaring an emergency. Strategic Outcome(s): Safety.
Ordinance No. 20230209-007 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.
8. Authorize negotiation and execution of a contract for ServiceNow products, services, and software including maintenance and support for Austin Energy, with Fujitsu America Inc. for a term of five years in an amount not to exceed \$14,000,000. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities]. Strategic Outcome(s): Government that Works for All.
The motion authorizing negotiation and execution of a contract for ServiceNow products, services, and software including maintenance and support for Austin Energy, with Fujitsu America Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

9. Authorize execution of a construction contract for the 2018 Bond Stassney Lane/South Congress Avenue Intersection Safety Improvement project, with Austin Underground, Inc. in the amount of \$3,182,482 plus a \$318,249 contingency for a total contract amount not to exceed \$3,500,731. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 84.86% MBE and 1.57% WBE participation]. District(s) Affected: District 2, District 3. Strategic Outcome(s): Mobility, Safety.

The motion authorizing execution of a construction contract for the 2018 Bond Stassney Lane/South Congress Avenue Intersection Safety Improvement project, with Austin Underground, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

10. Authorize negotiation and execution of a contract for the Airport Checkpoint Queue Monitoring System with CrowdVision Inc. d/b/a WirelessWerx Inc. for a term of five years in an amount not to exceed \$710,000. [Note: Sole source contracts are exempt from the City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established]. Strategic Outcome(s): Mobility, Safety.

The motion authorizing negotiation and execution of a contract for the Airport Checkpoint Queue Monitoring System with CrowdVision Inc. doing business as WirelessWerx Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

11. Authorize negotiation and execution of a cooperative contract to provide law enforcement software application products and services, with LexisNexis Risk Data Management LLC d/b/a LexisNexis Risk Solutions, for a term of five years in an amount not to exceed \$1,800,000. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this procurement, there were insufficient or no subcontracting opportunities; therefore, no subcontracting goals were established]. Strategic Outcome(s): Safety.

The motion authorizing negotiation and execution of a cooperative contract to provide law enforcement software application products and services, with LexisNexis Risk Data Management LLC doing business as LexisNexis Risk Solutions was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

12. Authorize negotiation and execution of a contract to provide maintenance, support, and licenses for General Electric Proficy GlobalCare software with Gray Matter Systems South LLC d/b/a Gray Matter Systems for a term of five years in an amount not to exceed \$885,000. [Note: Sole source contracts are exempt from the City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established]. Strategic Outcome(s): Government

that Works for All. February 8, 2023 – Recommended by the Water and Wastewater Commission on a 6-0 vote with three absences and two vacancies.

The motion authorizing negotiation and execution of a contract to provide maintenance, support, and licenses for General Electric Proficy GlobalCare software with Gray Matter Systems South LLC doing business as Gray Matter Systems was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

13. Authorize execution of five contracts for grounds maintenance with Incircle Management Inc.; Corza Construction LLC; Unity Contractor Services, Inc.; Pyramid Contracting Services, Inc., and Abescape Group LLC, each for a term of five years in an amount not to exceed \$28,000,000, divided among the contractors. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established]. Strategic Outcome(s): Government that Works for All.

The motion authorizing execution of five contracts for grounds maintenance with Incircle Management Inc.; Corza Construction LLC; Unity Contractor Services, Inc.; Pyramid Contracting Services, Inc., and Abescape Group LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

14. Authorize negotiation and execution of a contract to provide third-party administration services of the City's cultural grants programs with Greater Austin Performing Arts Center Inc., d/b/a The Long Center for the Performing Arts for up to five years, in an aggregate amount including all grants made under these programs not to exceed \$100,000,000 inclusive of the administrative fees for this contract in an amount not to exceed \$4,475,000. [Note: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established]. Strategic Outcome(s): Economic Opportunity and Affordability, Culture and Lifelong Learning.

The motion authorizing negotiation and execution of a contract to provide third-party administration services of the City's cultural grants programs with Greater Austin Performing Arts Center Inc., doing business as The Long Center was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

15. Authorize negotiation and execution of a cooperative contract for customer care and billing software hosting and related support services with Oracle America, Inc., for a term of 17 months in an amount not to exceed \$14,605,332. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For

the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established]. Strategic Outcome(s): Government that Works for All.

The motion authorizing negotiation and execution of a cooperative contract for customer care and billing software hosting and related support services with Oracle America, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

16. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 34.51 acres situated in the James Rogers Survey No. 19, Travis County, Texas, and in The Park at Duval, a subdivision in Travis County, Texas, generally located at 3900 Duval Road, Austin, Texas from Hyde Park Baptist Church, for a total amount not to exceed \$505,000 including closing costs. District(s) Affected: District 7. Strategic Outcome(s): Health and Environment.

The motion authorizing negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 34.51 acres situated in the James Rogers Survey No. 19, Travis County, Texas, and in The Park at Duval, a subdivision in Travis County, Texas, generally located at 3900 Duval Road, Austin, Texas from Hyde Park Baptist Church was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

17. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple 2.20 acres situated in the Santiago Del Valle Grant, Abstract No. 24, Travis County, Texas, located at 10413 South Interstate Highway 35, Austin, Texas from J. Terry Weeks, for a total amount not to exceed \$860,000 including closing costs. District(s) Affected: District 5. Strategic Outcome(s): Health and Environment.

The motion authorizing negotiation and execution of all documents and instruments necessary to acquire in fee simple 2.20 acres situated in the Santiago Del Valle Grant, Abstract No. 24, Travis County, Texas, located at 10413 South Interstate Highway 35, Austin, Texas from J. Terry Weeks was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

18. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$5,000,000, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, new construction of an affordable rental development located at or near 4506 East William Cannon Drive, Austin, Texas 78744. District(s) Affected: District 2. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20230209-018 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

19. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$3,000,000, by Austin Affordable PFC, Inc., an affiliate of

the Housing Authority of the City of Austin, to finance, in part, the new construction of an affordable rental development located at or near 6420 Loyola Lane, Austin, Texas 78724. District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20230209-019 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

20. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$6,000,000, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, the new construction of an affordable rental development located at or near 916 Norwood Park Boulevard, Austin, Texas 78753. District(s) Affected: District 4. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20230209-020 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

21. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$5,000,000, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, the new construction of an affordable rental development located at or near 2001 Rosewood Avenue, Austin, Texas 78702. District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20230209-021 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

22. Approve a resolution related to an application by Austin Lyndhurst DMA Housing, LLC, or an affiliated entity, for 9% Low Income Housing Tax Credits for a new construction development to be known as Forest North Apartments, located at or near 13424 Lyndhurst Street, Austin, Texas 78729, and related to the allocation of housing tax credits within the City and near the proposed development. District(s) Affected: District 6. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20230209-022 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

23. Approve a resolution related to an application by The Roz Parkside, LP, or an affiliated entity, for 9% Low Income Housing Tax Credits for a new construction development to be known as The Roz, located at or near 3435 Parker Lane, Austin, Texas 78741, and related to the allocation of housing tax credits within the City and near the proposed development. District(s) Affected: District 3. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20230209-023 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

24. Approve a resolution related to an application by Grove Supportive Housing Partnership, LP, or an affiliated entity, for 9% Low Income Housing Tax Credits for a new

construction development to be known as The Sasha, located at or near 1401 Grove Boulevard, Austin, Texas 78741, and related to the allocation of housing tax credits within the City and near the proposed development. District(s) Affected: District 3. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20230209-024 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

25. Authorize negotiation and execution of all documents necessary to resolve an exception to title and facilitate a previous transfer of real property by Austin Housing Finance Corporation to City of Austin described as Parcel 7 (1103 Juniper Street) and Parcel 8 (1159 Waller Street) in that General Warranty Deed dated June 26, 2003, recorded as Document No. 2003221044 of the Official Public Records of Travis County, Texas. District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion authorizing negotiation and execution of all documents necessary to resolve an exception to title and facilitate a previous transfer of real property by Austin Housing Finance Corporation to City of Austin described as Parcel 7 (1103 Juniper Street) and Parcel 8 (1159 Waller Street) in that General Warranty Deed dated June 26, 2003, recorded as Document No. 2003221044 of the Official Public Records of Travis County, Texas was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

26. Authorize negotiation and execution of a legal services agreement with Jackson Walker LLP for legal services related to City of Austin vs. Kramer Plaza, Ltd., a Texas Limited Partnership, Cause Number C-1-PB-22-000045, in an amount not to exceed \$160,000. Strategic Outcome(s): Government that Works for All.

The motion authorizing negotiation and execution of a legal services agreement with Jackson Walker LLP was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

27. Authorize negotiation and execution of a legal services agreement with Bickerstaff Heath Delgado Acosta LLP for legal services related to City of Austin vs. Satguru, LLC, a Texas Limited Liability Company d/b/a Econolodge, Cause Number C-1-PB-21-002647, in an amount not to exceed \$100,000. Strategic Outcome(s): Government that Works for All.

The motion authorizing negotiation and execution of a legal services agreement with Bickerstaff Heath Delgado Acosta LLP was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

28. Authorize negotiation and execution of an amendment to a legal services agreement with Denton Navarro Rocha Bernal & Zech, P.C. for representation in connection with the City's public safety labor contract negotiations in the amount of \$200,000, for a total contract amount not to exceed \$600,000. Strategic Outcome(s): Government that Works for All.

The motion authorizing negotiation and execution of an amendment to a legal services agreement with Denton Navarro Rocha Bernal & Zech, P.C. was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

29. Approve an ordinance amending City Code Section 4-14-105 to clarify when a landlord must provide time to cure lease violations. Strategic Outcome(s): Government that Works for All.

Ordinance No. 20230209-029 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

30. Authorize negotiation and execution of an interlocal agreement and trademark license agreement with the U.S. Department of Health and Human Services for communications campaign materials to complement physical activity and health communications initiatives. Strategic Outcome(s): Health and Environment.

The motion authorizing negotiation and execution of an interlocal agreement and trademark license agreement with the U.S. Department of Health and Human Services was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

31. Authorize negotiation and execution of Amendment No. 2 to the interlocal agreement with Travis County for job readiness training and summer employment for youth ages 14 to 21, to add one-time funding in an amount not to exceed \$269,480, for a revised total amount not to exceed \$2,498,210. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion authorizing negotiation and execution of Amendment No. 2 to the interlocal agreement with Travis County was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

32. Authorize negotiation and execution of Amendment No. 3 to the agreement with Out Youth to provide mental health services for Lesbian, Gay, Bi-sexual, Transgender, Queer, Intersex, Asexual+ individuals, to add two 12-month extension options beginning on April 1, 2023, each in an amount not to exceed \$100,000, for a revised total agreement amount not to exceed \$500,000. Strategic Outcome(s): Safety, Health and Environment, Government That Works For All.

The motion authorizing negotiation and execution of Amendment No. 3 to the agreement with Out Youth was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection. Council Member Kelly abstained.

33. Authorize negotiation and execution of an agreement with Get Up Project d/b/a Hope Medical Clinic to provide health education and navigation services prioritizing the Austin Asian American and Pacific Islander communities, for a 12-month term beginning April 1, 2023, and one 12-month extension option, each in an amount not to exceed \$100,000,

for a total agreement amount not to exceed \$200,000. Strategic Outcome(s): Safety, Health and Environment, Government That Works For All.

The motion authorizing negotiation and execution of an agreement with Get Up Project doing business as Hope Medical Clinic was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

34. Approve an ordinance amending the Fiscal Year 2022-2023 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$26,000 in grant funds from the National Environmental Health Association and U.S. Food and Drug Administration for the Retail Flexible Funding Model Grant Program. Strategic Outcome(s): Health and Environment.

Ordinance No. 20230209-034 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

35. Approve an ordinance amending the Fiscal Year 2022-2023 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$555,426 in grant funds from the Centers for Disease Control and Prevention for Mpox response activities. Strategic Outcome(s): Health and Environment, Government that Works For All, Safety.

Ordinance No. 20230209-035 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

36. Authorize negotiation and execution of a multi-term contract to provide molecular and biochemical screening for toxic algae in Austin-area reservoirs and surface waters with Florida International University, with an initial 12-month contract in the amount of \$99,910.00, and two renewal options in the amount of \$99,910.00 and \$49,517.77, for a total contract amount not to exceed \$249,337.77. Strategic Outcome(s): Health and Environment.

The motion authorizing negotiation and execution of a multi-term contract to provide molecular and biochemical screening for toxic algae in Austin-area reservoirs and surface waters with Florida International University was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

37. Authorize negotiation and execution of Amendment No. 2 to the Federal Grant Agreement with the Waterloo Greenway Conservancy for a grant expert to be jointly funded by the City and the Conservancy for an additional 12-month term beginning January 1, 2023, in an amount not to exceed \$60,000, and two 12-month extension options each in an amount not to exceed \$60,000, for a total agreement amount not to exceed \$285,000. Strategic Outcome(s): Safety, Health and Environment, Government that Works for All.

The motion authorizing negotiation and execution of Amendment No. 2 to the Federal Grant Agreement with the Waterloo Greenway Conservancy was approved

on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

38. Approve an ordinance authorizing negotiation and execution of an amendment to the Project Partnership Agreement with the U.S. Army Corps of Engineers for the Confluence Construction Project; amending the Fiscal Year 2022-2023 Watershed Protection Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate up to \$3,975,000 from the U.S. Army Corps of Engineers for the Confluence Construction Project; and amending the Fiscal Year 2022-2023 Watershed Protection Department Capital Budget (Ordinance No. 20220817-004) to appropriate up to \$3,975,000 from the U.S. Army Corps of Engineers for the Confluence Construction Project. Strategic Outcome(s): Safety; Health and Environment. **Ordinance No. 20230209-038 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.**

ITEMS FROM COUNCIL

39. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.
The following appointments and waivers, and removals were approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

Nominations

Board/Nominee	Nominated by
<u>African American Resource Advisory Commission*</u> Antonio Ross	Mayor Pro Tem Ellis
<u>Public Safety Commission*</u> David Holmes	Mayor Pro Tem Ellis
<u>Water and Wastewater Commission*</u> Christopher Maxwell-Gaines	Mayor Pro Tem Ellis

Reappointments

<u>LGBTQ Quality of Life Advisory Commission*</u> Katelyn Jones	Mayor Pro Tem Ellis
<u>Zero Waste Advisory Commission*</u> Ian Steyaert	Mayor Pro Tem Ellis

***Term effective March 1, 2023**

Council Committee Nomination**Public Health Committee**

Council Member José “Chito” Vela

Council Committee Removal**Public Health Committee**

Council Member Zohaib “Zo” Qadri

Items 40 and 41 were pulled for discussion.

42. Approve a resolution initiating amendments to City Code Title 25 related to disaggregation of substandard lots and lots that qualify for small-lot amnesty. Council Sponsors: Council Member José 'Chito' Vela, Council Member Zohaib “Zo” Qadri, Council Member Leslie Pool, Council Member José Velásquez.

This item was postponed to March 9, 2023 on Council Member Harper-Madison’s motion, Council Member Qadri’s second without objection.

ITEMS TO SET PUBLIC HEARINGS

43. Set a public hearing related to an application by Cairn Point at Cameron, LP, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Cairn Point at Cameron, located at or near 7205 Cameron Road, Austin, Texas 78752, within the City. (Suggested date: Thursday, February 23, 2023, Austin City Hall, 301 West 2nd Street, Austin, Texas 78701). District(s) Affected: District 4.

The public hearing was set for Thursday, February 23, 2023, Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Harper-Madison’s motion, Council Member Qadri’s second without objection.

CONSENT AGENDA ADDENDUM

Items 74 through 76 were pulled for discussion.

77. Approve an ordinance authorizing the building official to exempt certain electrical activities from permit requirements, extending the deadline for certain permit applications, waiving registration requirement for electricians, and declaring an emergency. Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability.

Ordinance No. 20230209-077 was approved on consent on Council Member Harper-Madison’s motion, Council Member Qadri’s second without objection.

78. Approve an ordinance waiving certain fees and charges in response to the winter weather event; and declaring an emergency. Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability.

Ordinance No. 20230209-078 was approved on consent on Council Member Harper-Madison’s motion, Council Member Qadri’s second without objection.

79. Approve a resolution extending a Declaration of Local State of Disaster in response to concerns related to imminent threat of widespread and severe property damage, injury, and loss of life due to recent severe winter weather resulting in significant and historic ice accumulations. Strategic Outcome(s): Government that Works for All.
Resolution No. 20230209-079 was approved on consent on Council Member Harper-Madison's motion, Council Member Qadri's second without objection.

Items 80 and 81 were pulled for discussion.

LIVE MUSIC

Darkbird

Mayor Pro Tem Ellis recessed the Council meeting at 12:51 p.m.

Mayor Pro Tem Ellis reconvened the Council meeting at 2:02 p.m.

AUSTIN HOUSING AND FINANCE CORPORATION MEETING

Mayor Pro Tem Ellis recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 2:02 p.m. See separate minutes.

44. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

Mayor Pro Tem Ellis reconvened the Council Meeting at 2:04 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS (PUBLIC HEARINGS AND POSSIBLE ACTION)

52. NPA-2022-0022.01- 406 and 428 E. Alpine Road - Conduct a public hearing and approve an ordinance amending Ordinance No. 20050929-Z001 the Greater South River City Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on properties locally known as 406 and 428 East Alpine Road (Blunn Creek Watershed) from Office to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Austin Memorial Home of Austin, a Texas non-profit corporation. Agent: David Hartman, DeBois, Bryant & Campbell. City Staff: Kathleen Fox, Housing and Planning Department, 512-974-7877. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230209-052 to change the land use designation on the

future land use map (FLUM) to Mixed Use land use was approved without objection.

53. C14-2022-0101 - 406 and 428 Alpine Road Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 406 and 428 East Alpine Road (Blunn Creek Watershed). Applicant's Request: To rezone from general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning, as amended. Owner/Applicant: Austin Memorial Home of Austin, Texas (Donald P. Dorsey). Agent: DuBois, Bryant & Campbell, L.L.P. (David Hartman). City Staff: Nancy Estrada, 512-974-7617. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230209-053 for general office-mixed use-conditional overlay-neighborhood plan (GO-MU--NP) combining district zoning was approved without objection.

54. NPA-2022-0005.02 - Second Alpha .95 - Conduct a public hearing and approve an ordinance amending Ordinance No. 010927-05 the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2404 Thrasher Lane (Carson Creek Watershed) from Commercial to Single Family land use. Staff Recommendation: To grant the applicant's request for Single Family land use. Planning Commission Recommendation: To be reviewed on February 28, 2023. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Rodney K. Bennett. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to March 23, 2023 at the request of Staff without objection.

55. C14-2022-0114 - Second Alpha .96 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known 2404 Thrasher Lane (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-neighborhood plan (CS-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 28, 2023. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.

This item was postponed to March 23, 2023 at the request of Staff without objection.

56. C14-2022-0116 - SOCO Coffee and Art Garden - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5604 South Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan

(CS-MU-CO-NP) combining district zoning to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Owner/Applicant: CMG Partnership, Ltd. (Dean Goodnight). Agent: Thomas Bailey. City Staff: Nancy Estrada, 512-974-7617. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230209-056 for commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning was approved without objection.

57. NPA-2022-0016.03 - 4927 East 5th Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4927 East 5th Street (Colorado River Watershed) from Industry to Commercial land use. Staff Recommendation and Planning Commission Recommendation: To grant Commercial land use. Owner/Applicant: 4927 E. 5th LTD. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.

A motion to approve the ordinance on first reading only to change the land use designation on the future land use map (FLUM) to Commercial land use was approved without objection.

58. C14-2022-0103 - 4927 East 5th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known 4927 East 5th Street (Colorado River Watershed). Applicant Request: To rezone from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owner/Applicant: 4927 E. 5th LTD. Agent: Drenner Group LLP (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122 District(s) Affected: District 3.

A motion to approve the ordinance on first reading only for limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved without objection.

59. NPA-2022-0023.03 - Berkman Residential - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-55 the University Hills/Windsor Park Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known 6305 Berkman Drive (Fort Branch Watershed) from Higher Density Single Family to Multifamily Residential land use. Staff Recommendation and Planning Commission Recommendation: To grant Multifamily Residential land use.

Owners/Applicants: Lewis Douglas D CCL Revocable Trust. Agent: Thrower Design, LLC (Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695. District(s) Affected: District 4.

This item was postponed to February 23, 2023 at the request of the Applicant without objection.

60. C14-2022-0104 - Berkman Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6305 Berkman Drive (Fort Branch Watershed). Applicant Request: To rezone from townhouse and condominium-neighborhood plan (SF-6-NP) combining district zoning to multifamily residence high density district-neighborhood plan (MF-5-NP) combining district zoning. Staff Recommendation: To grant multifamily medium density residence-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence high density -conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning. Owners/Applicants: Lewis Douglas D CCL Revocable Trust. Agent: Thrower Design, LLC (Ron Thrower and Victoria Haase). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 4.

This item was postponed to February 23, 2023 at the request of the Applicant without objection.

61. C14-2022-0141 -12th & West Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 801 and 807 West 12th Street and 1108, 1110, and 1112 West Avenue (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner/Applicant: Ellis Real Estate Development LLC. (Brian Larson, Brad Burns). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 9.

A motion to approve the ordinance on first reading only for downtown mixed use-conditional overlay (DMU-CO) combining district zoning without objection.

62. C14-2022-0084 - 705 Brownlee Circle Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 705 Brownlee Circle (Lady Bird Lake Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Owner/Applicant: Bradley Hoskins. Agent: Keepers Land Planning (Ricca Keepers). City Staff: Nancy Estrada, 512-974-7617. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 9.

The ordinance was approved on first reading only for multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning was approved without objection.

63. NPA-2022-0007.01 - 10810 Newmont Rd - Conduct a public hearing and approve an ordinance amending Ordinance No. 000629-106 the North Austin Civic Association Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known 10810 Newmont Road (Little Walnut Creek Watershed) from Single Family to Mixed Use/Office land use. Staff and Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: 10810 Newmont Apartments LLC (Kinereth Polner). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 4.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230209-063 to change the land use designation on the future land use map (FLUM) to Mixed Use/Office land use was approved without objection.

64. C14-2022-0136 - 10810 Newmont Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10810 Newmont Road (Little Walnut Creek Watershed). Applicant Request: To rezone from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Owner/Applicant: 10810 Newmont Apartments LLC (Kinereth Polner). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 4.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230209-064 for general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning was approved without objection.

65. C14-2022-0147 - Linda Vista / Elroy West Industrial Park at Moore's Crossing MUD - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6807 South FM 973 Road (Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning and interim-single family residence standard lot (I-SF-2) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: SRMC Investments, LLC (Bill Gurasich). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Nancy Estrada, 512-974-7617. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230209-065 for limited industrial services (LI) district zoning was approved without objection.

66. C14-2020-0143 - 12121 North IH 35 Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12121 North IH 35 Service Road Northbound (Walnut Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence-moderate high density (MF-4) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate high density (MF-4) district zoning. Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack) Agent: Coats Rose (Racy Haddad). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.
This item was postponed to February 23, 2023 at the request of the Applicant without objection.
67. C14-2022-0049 - 500 VFW Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 500 VFW Road (Walnut Creek Watershed). Applicant's Request: To rezone from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. First Reading approved on October 27, 2022. Vote: 11-0. Owner/Applicant: Capital City VFW Post #8787. Agent: Drenner Group, PC (Amanda Swor). City Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122.
This item was postponed to February 23, 2023 at the request of the Applicant without objection.
68. C14R-81-033(RCA) - Brodie Oaks Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 4021, 4025, 4107, 4109, 4115, and 4141 South Capital of Texas Highway Northbound; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 South Lamar Boulevard Southbound (Barton Creek Watershed-Barton Springs Zone). Applicant's Request: To amend a public Restrictive Covenant. Staff Recommendation and Planning Commission Recommendation: To amend a public Restrictive Covenant. Owner/Applicant: Lionstone Investments, LCFRE Austin Brodie Oaks LLC (John Schaefer). Agent: Armbrust & Brown, PLLC (Jewels Cain). City Staff: Nancy Estrada, 512-974-7617. This action concerns land located in the Barton Springs Zone.
This item was postponed to March 23, 2023 at the request of the Applicant without objection.
69. C814-2021-0099 - Brodie Oaks Redevelopment PUD - Approve second reading of an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 4021, 4025, 4107, 4109, 4115, and 4141 South Capital of Texas Highway Northbound; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 South Lamar Boulevard Southbound (Barton Creek Watershed-Barton Springs Zone). Applicant's Request: To establish initial permanent zoning from unzoned and to rezone from community commercial (GR) district zoning, general commercial services (CS) district zoning, and commercial-liquor sales (CS-1) district zoning to planned unit development (PUD) district zoning, with conditions. The ordinance may include exemption from or waiver of fees, alternative

funding methods, modifications of City regulations, and acquisition of property. First Reading approved with conditions on December 8, 2022. Vote: 11-0. Applicant: Lionstone Investments, LCFRE Austin Brodie Oaks, LLC (Andrew J. Bruce; John W. Enerson). Agent: Lionheart Places (Rebecca Leonard). City Staff: Nancy Estrada, 512-974-7617. This action concerns land located in the Barton Springs Zone.

This item was postponed to March 23, 2023 at the request of the Applicant without objection.

Item 70 was pulled for discussion.

71. NPA-2022-0010.03 - Holly Mixed Use - Approve second and third readings of an ordinance amending Ordinance No. 011213-43 the Holly Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2309 East 2nd Street; 2320 East Cesar Chavez Street; 2315 East 2nd Street; 2403 East 2nd Street; 2405 East 2nd Street; 2409 East 2nd Street; 2411 East 2nd Street (Lady Bird Lake Watershed) from Single Family and Civic to Mixed Use land use. First Reading approved January 26, 2023. Vote: 11-0. Owners/Applicants: 2309 2nd Street/2320 East Cesar Chavez Street: 2324 ECC-Arc LLC, a Delaware limited liability company; 2315 East 2nd Street: 2400 ECC-Arc LLC, a Delaware limited liability company; 2403 East 2nd Street: Steven Yarak, Larry Yarak, Brenda Blair; 2405 East 2nd Street: Danielle Murray; 2409 East 2nd Street: Eleanore Bacon; 2411 East 2nd Street: Ricardo David Rojo. Agent: Armbrust and Brown, PLLC (Ferris Clements), (512) 435-2337. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.

Ordinance No. 20230209-071 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved without objection.

72. NPA-2022-0029.01 - 7601 Cameron Road - Approve second and third readings an ordinance amending Ordinance No. 20120426-100 the St. John/Coronado Hills Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known 7601 and 7601 1/2 Cameron Road (Buttermilk Branch Watershed) from Commercial to Mixed Use land use. First Reading approved January 26, 2023. Vote: 11-0. Owners/Applicants: Area 51st, LLC. Agent: Drenner Group, PC (Leah M. Bojo), (512) 807-2918. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 1.

Ordinance No. 20230209-072 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved without objection.

73. C14-2022-0094 - 7601 Cameron Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7601 and 7601 1/2 Cameron Road (Buttermilk Branch Watershed). Applicant Request: To rezone from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district

zoning. First Reading approved January 26, 2023. Vote: 11-0. Owner/Applicant: Area 51st, LLC. Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122. District(s) Affected: District 1.

Ordinance No. 20230209-073 for community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning was approved without objection.

DISCUSSION ITEMS

70. C14H-2022-0073 - 1122 Colorado Street - Westgate Tower - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 1122 Colorado Street (Lady Bird Lake Watershed). Applicant's request: To rezone from central business district (CBD) combining district zoning to central business district-historic landmark (CBD-H) combining district zoning. First Reading: Approved central business district-historic landmark (CBD-H) combining district zoning on December 1, 2022, Vote 11-0. Second Reading: Approved central business district-historic landmark (CBD-H) combining district zoning on December 8, 2022, Vote 11-0. Owner: Westgate Condominium Association. Applicant: Brian Evans. City Staff: Kalan Contreras, Housing & Planning Department, 512-974-2727.

A motion to deny historic landmark designation was approved on Council Member Qadri's motion, Council Member Harper Madison's second on a 9-2 vote. Those voting aye: Mayor Watson, Mayor Pro Tem Ellis, Council Members Ryan Alter, Fuentes, Harper-Madison, Pool, Qadri, Vela, and Velásquez. Those voting nay: Council Members Alison Alter and Kelly

PUBLIC HEARINGS AND POSSIBLE ACTIONS

45. Conduct a public hearing related to an application by Austin Leased Housing Associates VI, Limited Partnership, or an affiliated entity, for housing tax credits for rehabilitation of a multi-family housing development to be financed through the private activity bond program and to be known as Woodway Square, located at or near 1700 Teri Road, Austin, Texas 78744, within the City, and consider a resolution related to the proposed development, the application, and the allocation of housing tax credits and private activity bonds. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20230209-045 was approved without objection. Council Member Qadri was off the dais.

46. Conduct a public hearing and consider an ordinance amending City Code Title 25 to amend the North Burnet/Gateway Regulating Plan to modify the Gateway and Midway Zones, within the Transit Oriented Development Subdistrict, to increase the maximum floor-to-area ratio and building height when using a development bonus. Strategic Outcome(s): Economic Opportunity and Affordability.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230209-046 was approved on Council Member Pool's

motion, Council Member Vela's second on a 10-0 vote. Council Member Qadri was off the dais.

47. Conduct a public hearing and consider second and third readings of an ordinance regarding a site-specific amendment to City Code Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), as required to address development related to the proposed Brodie Oaks PUD, C814-2021-0099, and located within the Barton Springs Zone. Related to Items #68 and #69. Strategic Outcome(s): Health and Environment; Safety; Economic Opportunity and Affordability.

This item was postponed to March 23, 2023 on Council Member Ryan Alter's motion, Council Member Harper-Madison's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

74. Approve an ordinance ordering a special municipal election to be held on May 6, 2023, to submit to the voters a second proposed citizen-initiated ordinance, certified sufficient on February 3, 2023, to enact an "Austin Police Oversight Act" that will strengthen the oversight of Austin police and encourage accountability for officer misconduct; providing for the conduct of the special election; authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election; and declaring an emergency. Strategic Outcome(s): Government that Works for All.

Ordinance No. 20230209-074 Version 3 was approved on Mayor Watson's motion, Council Member Vela's second on an 11-0 vote.

75. Approve an ordinance to enact an "Austin Police Oversight Act" that will strengthen the oversight of Austin Police and encourage accountability for officer misconduct. Strategic Outcome(s): Government that Works for All.

Withdrawn.

76. Approve an ordinance amending Ordinance No. 20220915-087 ordering a May 6, 2023 special municipal election, to amend the ballot language; and declaring an emergency. Strategic Outcome(s): Government that Works for All.

Ordinance No. 20230209-076 was approved on Mayor Watson's motion, Council Member Fuentes' second on an 11-0 vote.

Mayor Pro Tem Ellis recessed the Council meeting at 3:05 p.m.

Mayor Pro Tem Ellis reconvened the Council meeting at 3:48 p.m.

DISCUSSION ITEMS CONTINUED

81. Approve a resolution directing the City Auditor to conduct a comprehensive audit of the Austin Energy Vegetation Plan and Austin Energy's response to the February 2023 winter storm event. Council Sponsors: Council Member Mackenzie Kelly, Council

Member Ryan Alter, Council Member José Velásquez, Council Member José 'Chito' Vela.

A motion to approve the resolution was made by Council Member Kelly and seconded by Council Member Ryan Alter.

The following amendment was made by Council Member Ryan Alter, seconded by Council Member Alison Alter, and included on a 10-1 vote. Council Member Kelly voted nay.

“Amend lines 25 through 44 to read

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Auditor is directed to conduct a comprehensive audit of Austin Energy’s Vegetation Management Plan and its implementation by Austin Energy.

The audit and review should consider, but not be limited to, the following areas:

- **the adequacy of the vegetation management plan, including the identification of areas for improvement;**
- **the execution of the vegetation management plan, including the frequency and quality of inspections, pruning, and removal activities;**
- **the identification of best practices and lessons learned from the recent winter storm and other events as it relates to vegetation management;**
- **the allocation of resources for vegetation management and storm response, including staffing, equipment, and funding;**
- **recommendations for improving the vegetation management plan”**

Resolution No. 20230209-081 was approved as amended above on Council Member Kelly’s motion, Council Member Ryan Alter’s second on an 11-0 vote.

41. Approve a resolution creating an economic development grant program, to fund the Board of Adjustment Applicant Assistance Program (BAAP) to assist qualifying residential homestead applicants to pay for City fees assessed for an application for a residential zoning variance or special exception variance. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Vanessa Fuentes, Council Member José Velásquez, Mayor Pro Tem Paige Ellis, Council Member Zohaib “Zo” Qadri, Council Member Alison Alter.

A motion to approve the resolution was made by Council Member Harper-Madison and seconded by Council Member Fuentes.

The following amendment was made by Council Member Kelly and failed for lack of a second.

“Amend the lines 56 - 58 to read as follows:

Council directs the City Manager to bring the proposed program, implementation plan, costs and funding sources, and overall fiscal impact to the City of Austin's annual budget to Council for its consideration by April 10, 2023"

The following amendment was made by Council Member Kelly and failed for lack of a second.

"Amend 54 to include the following:

- i. DPSOA assistance program;**
- j. Public Safety Officers' Benefits Program;**
- k. All line-of-duty death assistance programs or**

And make the following clerical correction:

l. the applicant's household income is less than 200% of the income poverty level."

The following amendment was made by Council Member Kelly and failed for lack of a second.

"Amend lines 56 - 58 to read as follows:

Council directs the City Manager to bring the proposed program, implementation plan, and costs and funding sources to Council for its consideration by August 10, 2023."

Resolution No. 20230209-041 was approved on Council Member Harper-Madison's motion, Council Member Fuentes' second on an 11-0 vote.

40. Approve a resolution related to the operation of City shelters during extreme weather events. Council Sponsors: Council Member Mackenzie Kelly, Council Member Ryan Alter, Council Member Zohaib "Zo" Qadri, Mayor Kirk Watson, Council Member José 'Chito' Vela.

A motion to approve the resolution was made by Council Member Kelly and seconded by Council Member Velásquez.

The following amendment was made by Council Member Ryan Alter, seconded by Council Member Velásquez, and included on an 11-0 vote.

"Add the following topic to be considered by the Manager, stakeholders, and subject matter experts in discussions related to extreme weather events and shelter activation:

- Opportunities for conducting coordinated assessments for people experiencing homelessness.”

The following amendment was made by Council Member Alison Alter, seconded by Council Member Pool, and included on an 11-0 vote.

“Insert a new clause at line 8 to read:

WHEREAS, on December 13, 2022, the City Council Audit and Finance Committee accepted and discussed the “Emergency Shelters for Dangerous Temperatures Audit,” which included three recommendations related to role clarification and service delivery at cold weather shelters and updates to City operational plans; and

Insert a new resolve at line 40 to read:

BE IT FURTHER RESOLVED:

The City Manager is also directed to continue to implement the recommendations contained in the 2022 “Emergency Shelters for Dangerous Temperatures Audit” and to coordinate that implementation with the other directives contained in this resolution.”

The following amendment was made by Council Member Velásquez, seconded by Council Member Alison Alter, and included on an 11-0 vote.

“Amend line 46 to read as follows:

The City Manager will report back to the Council by June 15, 2023, on (1) recommendations to expand the City’s weather sheltering plan to include all extreme weather events and (2) the feedback and suggestions from the stakeholders and subject matter experts to address activation, registration, transportation and other issues related to the City’s response to sheltering during extreme weather events. (3) recommendations on how best to accommodate on-site and remote shelter registration (4) recommendations on how to implement a waiver of the shelter registration requirement in the case of a State of Disaster declaration from the City or Travis County.”

The following amendment was made by Council Member Fuentes, seconded by Council Member Qadri, and included on an 11-0 vote.

“Insert a new clause to read:

WHEREAS, Council provided direction for improving inclement weather response and shelter in a 2022-2023 budget rider; and

Amend the first resolve to read:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is also directed to engage and collaborate with stakeholders and subject matter experts, including ECHO's Inclement Weather Work Group, regarding extreme weather events and shelter activation criteria and processes, including but not limited to the following considerations:

- **The unique risk factors of vulnerable populations;**
- **The material, logistical and psychological barriers that prevent unhoused residents from having equal access to shelter;**
- **Ways to alleviate any uncertainty within the populations served by extreme weather shelters with registering and staying sheltered, including earlier activation of the shelters; working with community advocates to provide more notice opportunities to the public of shelter activation; evaluating the needs and requirements for registration including, but not limited to accessibility, availability, hours, and locations; expanding access to shelters for families; establishing an extreme weather shelter location in Del Valle; and pausing encampment cleanups at least 48 hours before shelter activation and 48 hours following shelter deactivation;**
- **Engagement with individuals who have lived experience to obtain feedback regarding their stay at extreme weather shelters;**
- **Consideration of partnerships to improve staffing of the shelters and staff training in de-escalation and trauma informed care; and**
- **The lessons learned and the direction provided by the 2022-2023 budget rider for improving inclement weather response and shelter."**

The following amendment was made by Council Member Qadri and seconded by Council Member Fuentes.

"Amend the first resolve to read:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to continue discussions with stakeholders and subject matter experts, including the Cold Weather Shelter Work Group under the ATX Leadership Council and City departments directly engaged with unsheltered individuals, including the Homeless Strategy Division and Austin-Travis County EMS, regarding extreme weather events and shelter activation criteria and processes, including but not limited to the following considerations:

- **The unique risk factors of vulnerable populations;**
- **The material, logistical and psychological barriers that prevent unhoused residents from having equal access to shelter;**

- Ways to alleviate any uncertainty within the populations served by extreme weather shelters with registering and staying sheltered, including earlier activation of the shelters, working with community advocates to provide more notice opportunities to the public of shelter activation, expanding registration hours and locations, and pausing encampment cleanups until shelters are deactivated;
- Engagement with individuals who have lived experience to obtain feedback regarding their stay at extreme weather shelters; and
- Consideration of partnerships to improve staffing of the shelters and staff training in de-escalation and trauma informed care.

Amend the second resolve to read:

The City Manager will report to the Council by June 15, 2023, on (1) recommendations to expand the City’s weather sheltering plan to include all extreme weather events and (2) the feedback and suggestions from the stakeholders and subject matter experts, in consultation with the ATX Leadership Council for Austin/Travis County Continuum of Care, and in alignment with the written standards for cold weather shelter developed by the Cold Weather Shelter Work Group, to address activation, registration, transportation and other issues related to the City’s response to sheltering during extreme weather events.”

The following amendment to Council Member Qadri’s amendment was made by Council Member Kelly and failed for lack of a second.

“Amend the first resolve to read:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to continue discussions with stakeholders and subject matter experts, including the Cold Weather Shelter Work Group, stakeholders and those with lived experiences, City departments directly engaged with unsheltered individuals, including the Homeless Strategy Division and Austin-Travis County EMS, regarding extreme weather events and shelter activation criteria and processes, including but not limited to the following considerations:

- **The unique risk factors of vulnerable populations;**
- **The material, logistical and psychological barriers that prevent unhoused residents from having equal access to shelter;**
- **Ways to alleviate any uncertainty within the populations served by extreme weather shelters with registering and staying sheltered, including earlier activation of the shelters, working with community advocates to provide more notice opportunities to the public of shelter activation, expanding registration hours and locations, and pausing encampment cleanups until shelters are deactivated;**

- Engagement with individuals who have lived experience to obtain feedback regarding their stay at extreme weather shelters; and
- Consideration of partnerships to improve staffing of the shelters and staff training in de-escalation and trauma informed care.

Amend the second resolve to read:

The City Manager will report to the Council by June 15, 2023, on (1) recommendations to expand the City's weather sheltering plan to include all extreme weather events and (2) the feedback and suggestions from the stakeholders and subject matter experts, in consultation with the Austin/Travis County Continuum of Care, and in alignment with the written standards for cold weather shelter developed by the Cold Weather Shelter Work Group, to address activation, registration, transportation and other issues related to the City's response to sheltering during extreme weather events."

Council Member Qadri's amendment was included on a 9-1 vote. Council Member Kelly voted nay. Council Member Ryan Alter was off the dais.

Resolution No. 20230209-040 was approved as amended above on Council Member Kelly's motion, Council Member Velásquez's second on a 10-0 vote. Council Member Ryan Alter was off the dais.

DISCUSSION ITEMS CONTINUED

80. Approve a resolution concerning bargaining for a meet and confer labor contract with the Austin Police Association. Council Sponsors: Council Member José 'Chito' Vela, Council Member Zohaib "Zo" Qadri, Council Member José Velásquez, Council Member Vanessa Fuentes.

A motion to approve the resolution was made by Council Member Vela and seconded by Council Member Velásquez.

A substitute motion to postpone the item to March 23, 2023 was made by Council Member Kelly and failed for lack of a second.

The following amendment to substitute the draft resolution "Mayor Watson Substitute Amendment to Vela Amendment #1" as follows was made by Mayor Watson, seconded by Council Member Vela, and included without objection.

"WHEREAS, about 250 Austin Police Department ("APD") officers are currently eligible for retirement and face a February 26 deadline to make important financial decisions related to their retirements, as well as the potential loss of significant retirement-related benefits under the current meet and confer agreement if that agreement expires before they retire; and

WHEREAS, the hardworking officers of APD deserve certainty with regard to their pay, benefits, and compensation; and

WHEREAS, Austin residents will potentially have the opportunity to vote on two different petitions in a May 2023 referendum regarding police oversight and transparency, which could have important implications for the contract between the City and the Austin Police Association (“APA”); and

WHEREAS, the APA contract expires on March 31, 2023, and the proposed four-year contract will allow the City and the APA to pre-empt the voters’ direction on contract issues such as police oversight and disciplinary processes for four years; and

WHEREAS, the residents of Austin have repeatedly and adamantly advocated for increased police oversight and transparency; and

WHEREAS, it is the duty of the City Council to review the proposed 4-year contract to assess its merits on behalf of Austinites, including to ensure that it does not undermine the guaranteed rights of Austinites to petition their government; and

WHEREAS, the people of Austin have the right to thoroughly examine and understand the proposal and to make their views known to their elected representatives; and

WHEREAS, public trust and officer morale can only be strengthened and sustained by meaningful transparency, accountability, and professional civilian oversight; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to immediately begin negotiations for a new meet and confer agreement with the APA that achieves the following Council policy goals to the extent feasible in the labor contract negotiation process:

- 1. Preserve or enhance the City’s existing civilian oversight program for APD officers as established in the current APA labor contract and City Code Chapter 2-15;**
- 2. Provide for incorporation into the new agreement of any civilian oversight program enhancements that may be approved by Austin voters in the May 2023 election;**
- 3. Have a term of no more than one year from the expiration date of the current meet and confer agreement;**

4. Improve the financial terms and privileges of employment of APD officers by:

A. Increasing Base Wages

i. Providing across the board wage increases – commensurate with the expected cost of living changes and increase officer workloads; and

ii. Adding a new pay step at Year 20 for Officer, Corporal/ Detective, Sergeant, Lieutenant and Commander;

B. Providing longevity pay determined via a base rate paid per year of service, up to a maximum of 25 years, to be paid in a lump sum in the first regularly scheduled pay period after the Officer's anniversary date, which is the annual anniversary of the Officer's most recent commission date. This change in payment of longevity does not affect the treatment of longevity for retirement and overtime purposes, and the City and the Officers shall continue making contributions for longevity payments;

C. Providing field training officer (FTO) pay at the effective rate of 5.8% of Officer Pay Step 10 base rate of pay per month to each officer assigned in the FTO program, as selected according to criteria established by the Police Chief;

D. Providing mental health certification pay at the effective rate of one hundred and seventy five dollars (\$175.00) per month to each officer assigned to a patrol shift and serving as a mental health officer as selected and approved according to criteria established by the Police Chief, with APD to conduct an annual review (including input from the APA) to assess whether additional officers will be entitled to such pay;

E. Providing bilingual pay at the rate of one hundred seventy five dollars (\$175.00) per month for officers certified under standards established by the Police Chief and assigned to the bilingual program. The bilingual program shall include German, Spanish, French/Haitian, Farsi, Arabic, Asian (Vietnamese, Cantonese, Thai, Korean, Japanese, and Malaysian), Russian, Ukrainian, and sign language for the deaf. Officers will not be paid cumulatively if they are certified in more than one language;

F. Providing compensation for lieutenants and commanders:

- i. Lieutenants and Commanders shall be compensated on a salary basis and are exempt employees for purposes of overtime compensation under applicable federal law. The parties further agree that the Lieutenants and Commanders accept their salaries as inclusive of any and all overtime compensation.**
- ii. Lieutenants permanently assigned to an evening or night shift in Patrol shall be paid an additional stipend of five hundred dollars (\$500.00) per month. Lieutenants assigned to a Patrol Area Command who are assigned to an evening or night shift for a twenty eight (28) calendar day cycle, when the shift begins at or after 12:00 p.m., shall be entitled to three hundred dollars (\$300.00) per month;**

G. Providing authority for the Police Chief to set wages and benefits for the Assistant Chiefs, subject to the approval of the Council as a part of the budget. The Police Chief may designate one Assistant Chief as the Executive Assistant or Chief of Staff, whose pay and benefits may be different than the other Assistant Chiefs. Additional performance pay may be awarded in the Police Chief's discretion;

H. Providing a clothing allowance of five hundred dollars (\$500.00) per year for all officers deemed eligible by the Police Chief, with a payment schedule to be determined by the Police Chief;

I. Providing for either certificate pay or education pay, but not both, for officers at the highest qualifying rate. Education pay shall only be payable for degrees or college credit from an accredited college or university. An accredited college or university is an institution of higher education that is accredited or authorized by the Southern Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the New England Association of Schools and Colleges, the North Central Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Western Association of Schools and Colleges, or the Accreditation Service for International Schools, Colleges and Universities. The Police Chief may choose to consider a general statement of equivalency received directly from the Foreign Credentials Service of America in determining that a degree or college credit(s) may be

considered to be from an accredited college or university.
(Reference to time);

i. Certificate Pay

- a. Each officer holding an Intermediate TCOLE Certificate shall be paid fifty dollars (\$50.00) per month. Each officer holding an Advanced TCOLE Certificate shall be paid one hundred dollars (\$100.00) per month. Each officer holding a Master TCOLE Certificate shall be paid one hundred fifty dollars (\$150.00) per month.**
- b. No officer hired after March 25, 2001, will be eligible for Intermediate or Advanced Certificate pay. Certificate pay amounts in the current meet and confer agreement at or above those set forth in this Resolution remain in effect, as well as the right of all officers to qualify for or achieve Master Certification pay;**

ii. Education Incentive Pay

- a. Each officer holding an Associate's degree or sixty (60) hours of college credit shall be paid 2.5% of officer pay step 10 base rate of per month.**
 - b. Each officer holding a Bachelor's degree shall be paid 5.0% of officer pay step 10 base rate of pay per month; and**
 - c. Each officer holding a Master's and/or Doctorate's degree shall be paid 6.5% of officer pay step 10 base rate of pay per month;**
- J. Providing an additional 5.8% of officer pay step 10 base rate of pay per month to an officer normally assigned to an evening or night shift for a twenty-eight (28) calendar day cycle, when the shift begins at or after 12:00 p.m. Only officers working 50% or more of their shifts beginning at or after 12:00 p.m., in a twenty-eight (28) calendar day cycle, shall be eligible;**

Providing an additional 10.0 % of officer pay step 10 base rate of pay per month to an officer normally assigned to a night shift for

a twenty eight (28) calendar day cycle, when the shift begins at or after 5:00 p.m. Only officers working 50% or more of their shifts beginning at or after 5:00 p.m., in a 28 calendar day cycle, shall be eligible. Shift differential pay shall apply to all ranks up to and including Sergeant. This provision shall apply in lieu of the City policy applicable to shift differential for any other employees;

- K. Providing that the City may prorate and pay all monthly payments in biweekly equivalents;
- L. Providing that officers shall be exempt from any mandatory 158 employee work furlough or other unpaid leave plan implemented by the City for the purpose of reducing base wages paid to employees by reducing an employee's normal work hours. This section does not apply to disciplinary actions;
- M. Providing that APD shall adopt a policy regarding leave for officers required to provide essential services during severe weather or other emergencies that is in compliance with existing state law. The Department shall within forty-eight (48) hours of a severe weather event identify one lieutenant to collect receipts from officers for hotel stays related to the weather event and duty to report to work. These receipts shall be paid out at the government rate or cheaper rate if provided by the hotel no later than thirty (30) calendar days after submission;
- N. Providing authority for officer residency pay
 - i. Provide that the Council may authorize officer residency incentive pay by ordinance if the ordinance applies equally to each officer who meets the criteria established by the ordinance.
 - ii. Any such residency incentive pay shall be in an amount and payable under conditions, requirements and criteria set by ordinance, and shall be in addition to the base salary received by officers.
 - iii. The Police Chief is not eligible for the residency incentive pay authorized by this Section;
- O. Providing that to the extent of any conflict between the compensation elements in this Resolution and any state statute, ordinance, City or APD policy, including but not limited to

Texas Local Government Code §143.041, the provisions of this Resolution shall govern to the extent provided by law; and

- P. Providing that in the event the APA and the City agree through labor contract bargaining for pay levels different from the levels provided in this Resolution, such levels shall be deemed to meet the requirements of this Resolution.

BE IT FURTHER RESOLVED:

The City Manager is directed to bring any agreed-upon meet and confer agreement which complies with this Resolution to the Council for approval as soon as an agreement is reached in negotiations and approved by the APA membership.

BE IT FURTHER RESOLVED:

The Council is committed to approving a long-term meet and confer labor agreement with the APA that faithfully embodies the will of the people of Austin and provides clarity and predictability for APD officers as soon as it can be responsibly done, and nothing in this Resolution prevents or prohibits the City Manager from negotiating for such a long-term agreement reflecting the results of the May referendum before the expiration of the agreement described in the first part of this Resolution.”

The following amendment was made by Council Member Kelly, seconded by Mayor Watson, and failed a 5-6 vote. Those voting aye: Mayor Watson, Mayor Pro Tem Ellis, Council Members Alison Alter, Ryan Alter, and Kelly. Those voting nay: Council Members Fuentes, Harper-Madison, Pool, Qadri, Vela, and Velásquez.

“Amend lines 7 - 8 to read as follows:

WHEREAS, the hardworking, dedicated-community serving officers of APD deserve certainty with regard to their pay, benefits, and compensation; and”

The following amendment was made by Council Member Kelly and failed for lack of a second.

“Amend line 17-18 to read as follows:

WHEREAS, some the residents of Austin have voiced their advocacy repeatedly and adamantly advocated for increased police oversight and transparency; and”

The following amendment was made by Council Member Kelly and failed for lack of a second.

“Amend the lines 9 - 12 to read as follows:

WHEREAS, Registered voters of Austin will have the opportunity to vote on two different petitions in a May 2023 referendum regarding police oversight and transparency, which could have important staffing implications for the contract between the City and the Austin Police Association (“APA”); and”

Resolution No. 20230209-080 was approved as amended on Council Member Vela’s motion, Council Member Velásquez’s second on an 8-2 vote. Those voting aye: Mayor Watson, Council Members Ryan Alter, Fuentes, Harper-Madison, Pool, Qadri, Vela, and Velásquez. Those voting nay: Council Members Alison Alter and Kelly.

A motion to reconsider the item was made by Mayor Watson, seconded by Council member Pool, and approved on an 11-0 vote.

The following amendment to add an additional BE IT FURTHER RESOLVED clause as follows was made by Mayor Watson.

“BE IT FURTHER RESOLVED

The City Manager is directed to bring the proposed four-year contract to the Council for review and potential approval at the next regular meeting of the Austin City Council.”

Mayor Pro Tem Ellis recessed the Council meeting at 6:45 p.m.

Mayor Pro Tem Ellis reconvened the Council meeting at 7:39 p.m.

DISCUSSION ITEMS CONTINUED

80. Approve a resolution concerning bargaining for a meet and confer labor contract with the Austin Police Association. Council Sponsors: Council Member José 'Chito' Vela, Council Member Zohaib “Zo” Qadri, Council Member José Velásquez, Council Member Vanessa Fuentes.

Mayor Watson withdrew his motion to reconsider without objection.

A motion to adopt the resolution as amended above was made by Mayor Watson.

A motion to postpone the item to Wednesday, February 15 was made by Council Member Alison Alter, seconded by Council Member Kelly, and approved on a 6-5 vote. Those voting aye: Mayor Watson, Mayor Pro Tem Ellis, Council Members Alison Alter, Ryan Alter, Kelly, and Pool. Those voting nay: Council Members Fuentes, Harper-Madison, Qadri, Vela, and Velásquez.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

48. Discuss legal issues related to Ida Renae Nobles, et al v. Richard Egal and Maxwell Johnson, Cause No. 1:19-cv-00389-ML, in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).

Withdrawn.

49. Discuss legal issues related to Jason Gallagher v. City of Austin et al, Cause No. 1:20-cv-00901-RP in the United States District Court for the Western District of Texas, Austin Division; Steven Arawn v. City of Austin et al, Cause No. 1:20-cv-01118-RP in the United States District Court for the Western District of Texas, Austin Division; and Nicole Underwood v. City of Austin et al, Cause No. 1:20-cv-00032 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).

Withdrawn.

50. Discuss legal issues related to City of Austin 2023 labor contract negotiations (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).

Withdrawn.

51. Discuss legal issues related to a potential election in May 2023 concerning civilian police oversight (Private consultation with legal counsel - Section 551.071 of the Government Code).

Withdrawn.

Mayor Pro Tem Ellis adjourned the meeting at 7:59 p.m. without objection.

The minutes were approved on this the 23rd day of February 2023 on consent without objection.